

over Weiss, et al (U.S. Patent 6,437,357 B1), in view of Henley, et al (U.S. Patent 5,790,247), and further in view of the admitted prior art.

III. Obviousness Rejection of Claims 12, 14, and 16 to 17

Claims 12, 14, and 16 to 17 were rejected as obvious under 35 U.S.C. 103 (a) over Weiss, et al (U.S. Patent 6,437,357 B1), in view of Henley, et al (U.S. Patent 5,790,247), in view of the applicants' admitted prior art (A.P.A.).

Significant features of Weiss, et al, and Henley, et al, have been described above.

1. Claim 12

The features of claim 12 are features of a preferred embodiment that is not currently relied on to distinguish the claimed invention from the prior art. Indeed it is well known to couple light into a transparent material through a transparent liquid. However that does not mean that the combination of features comprising the combination of features claimed in claims 1, 5, and 12 are obvious, as explained above in section II.

2. Claims 14, 16, and 17

Claims 14, 16, and 17 claim important features of the invention that help to distinguish the claimed invention from the cited prior art.

The combination of the deflection method in which the first radiation source comprises two LEDs of different wavelengths and the detector measures relative intensities at these wavelengths with the scattering method in which light from the second radiation source traveling on an optical path entirely within the

glass sheet is scattered by a partial volume is at the heart of one embodiment of the claimed invention.

In this embodiment a convenient determination of the type of fault detected by the deflection can be obtain from the ratio of the deflection signal to the scattered light signal.

This latter feature now present in the amended method claim 1 is neither disclosed nor suggested by Weiss, et al, and Henley, et al. Correspondingly these references do not suggest the means to measure this ratio or the means to measure the deflection signal. Especially these references do **not** suggest determination of the ratio of the deflection signal that measures deflection of light from the first radiation source to the scattered light signal that measures the amount of light of the second radiation source that is scattered from the partial volume in the transparent material. This is a convenient and direct method to determine the type of fault or distinguish between a bubble and an inclusion. See the applicants' specification, page 9, lines 6 to 18.

The admitted prior art certainly do not suggest a means for determining the ratio of the deflection signal to the scattered light signal. In other words, they do **not suggest the combination** of means for measuring scattered light from the partial volume including the second radiation source with the means for measuring deflection comprising the first radiation source divided into the two LEDs of claim 17 or the two parts of claim 16.

For the foregoing reasons and because of changes in claims 1 and 15 withdrawal of the rejection of claims 12, 14, and 16 to 17 as obvious under 35

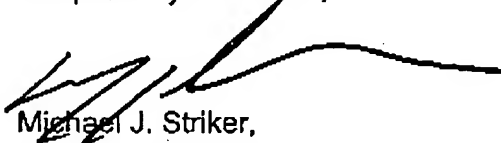
U.S.C. 103 (a) over Weiss, et al (U.S. Patent 6,437,357 B1), in view of Henley, et al (U.S. Patent 5,790,247), in view of the applicants' admitted prior art (A.P.A.), is respectfully requested.

It is noted that in the PTO Form 1449 Information Disclosure Citation, the Examiner did not initial the 'Other Document' Patent Abstracts of Japan, JP 10-339795 Published 12/22/1998. This would appear to be an oversight, and therefore it is respectfully requested that the Examiner issue another PTO Form 1449, with the 'Other Document' Japan Abstracts duly initialed.

Should the Examiner require or consider it advisable that the specification, claims and/or drawing be further amended or corrected in formal respects to put this case in condition for final allowance, then it is requested that such amendments or corrections be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,



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DEVICE FOR SOLIDIFYING TREATMENT OF RADIOACTIVE WASTERECEIVED
CENTRAL FAX CENTER

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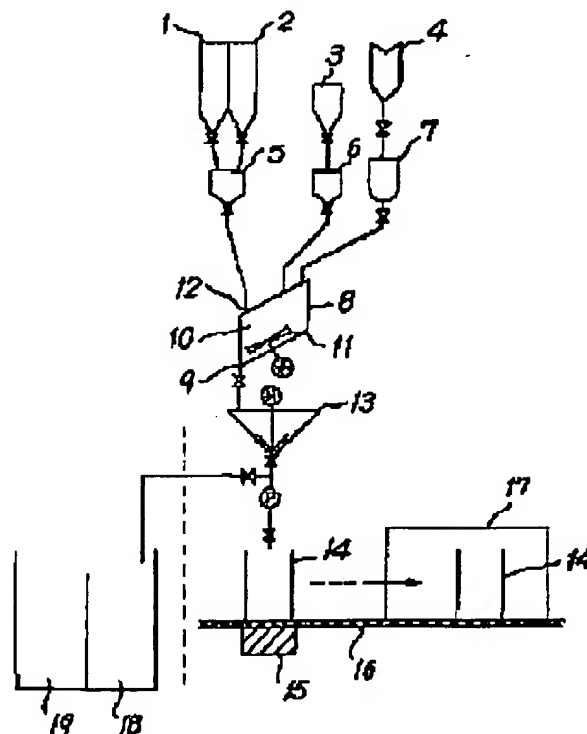
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Abstract of JP10339795

PROBLEM TO BE SOLVED: To make it possible to satisfactorily mix a cementitious solidifying material and mixing water or a cementitious solidifying material, mixing water and radioactive wastes, and improve the drainage and washability not only from a mixer and a mortar measuring tank but also from a washing water receiving tank. **SOLUTION:** A device for the solidifying treatment of radioactive wastes that conducts solidifying treatment of radioactive wastes with a cementitious solidifying material is equipped with a mixer 8 that mixes the solidifying material and mixing water 4 or the solidifying material, mixing water 4 and radioactive wastes. The body of the mixer 8 is shaped cylindrically, and an exhaust port 9 for a mixture is made at the end of the bottom of the mixer 8. It is installed slantingly so that the exhaust port 9 points downward.



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